

10-12-05

DAC/IFW

S/N 09/313,048

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Dennis A. Carson et al.	Examiner:	Mark Berch
Serial No.:	09/313,048	Group Art Unit:	1624
Filed:	May 17, 1999	Docket No:	103.009US1
Title	THIAZOLOPYRIMIDINES USEFUL AS TNF ALPHA INHIBITORS		

LETTER ADVISING OF INAPPROPRIATELY LONG PATENT TERM ADJUSTMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to a registered practitioner's general obligation of candor and good faith in practice before the Office, the undersigned hereby advises the Office that the patent term adjustment of 833 days set forth in the Issue Notification mailed August 4, 2005 is thought to be longer than appropriate.

The correct patent term adjustment appears to be 712 days, which was calculated as follows (the dates below are those used in Public PAIR):

PTO delays: 196 days (8/16/05)
+ 330 days (6/13/05)*
233 days (7/2/03)
759 days

*This figure represents the difference of two figures which appear to have been entered manually on 6/13/05 (333 PTO – 3 APPL)

less Applicant's delays: 6 days (10/1/05)
+ 5 days (4/19/04)
36 days (11/07/04)
47 days

The 120 days listed in Applicant's column in Public PAIR (Miscellaneous incoming letter dated 7/19/04) is believed to be an error. This letter was a written record reporting the substance of an interview held with the Examiner on 6/18/04, and was required by the Office (see MPEP Section 713.04). Thus, it was not a submission under 37 C.F.R. § 1.312. As such, no Applicant delay under 37 C.F.R. § 1.704(c)(10) should accrue.

LETTER ADVISING OF INAPPROPRIATELY LONG PTA

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Serial Number: 09/313048

Filing Date: May 17, 1999

Title: THIAZOLOPYRIMIDINES USEFUL AS TNF ALPHA INHIBITORS

Assignee: The Regents of The University of California

The 241 days listed in the PTO column (dated 7/27/05) appears to overlap the 333 day period entered manually on 6/13/05, and should not be a part of the calculation; 37 C.F.R. 1.703(f).

Respectfully Submitted

DENNIS A. CARSON ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(703) 239-9592

Date: 11TH October 2005

By: 

Richard A. Schwartz
Reg. No: 48,105

"Express Mail" mailing label number: EV553985535US

Date of Deposit: October 11, 2005

This paper or fee is being deposited on the date indicated above with the United States Postal Service pursuant to 37 CFR 1.10, and is addressed to: The Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dennis A. Carson et al.

THIAZOLOPYRIMIDINES USEFUL AS TNF ALPHA INHIBITORS

Docket No.: 103.009US1
Filed: May 17, 1999
Examiner: Mark L. Berch

Serial No.: 09/313,048
Due Date: October 16, 2005
Group Art Unit: 1624

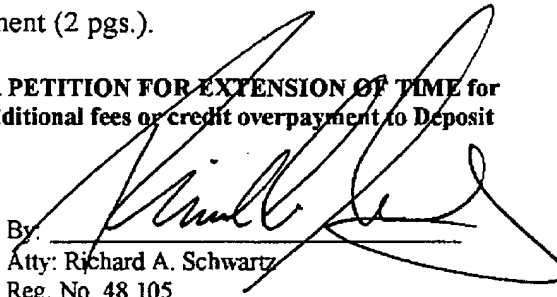
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ Return postcard.
- ☒ Letter Advising of Inappropriately Long Patent Term Adjustment (2 pgs.).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

By: 
Atty: Richard A. Schwartz
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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)